

## Farm Service Agency, USDA

## § 761.1

the U.S. Department of the Treasury charges FSA for funds, and will accrue from the date FSA made the payment to the date the refund is repaid.

(e) FSA may waive the accrual of interest if it determines that the cause of the erroneous payment was not due to any action of the person or entity, or was beyond the control of the person or entity committing the violation. Any waiver is at the discretion of FSA alone.

### § 760.1314 Miscellaneous provisions.

(a) *Offset.* FSA may offset or withhold any amount due to FSA from any benefit provided under this subpart in accordance with the provisions of 7 CFR part 1403.

(b) *Claims.* Claims or debts will be settled in accordance with the provisions of 7 CFR part 1403.

(c) *Other interests.* Payments or any portion thereof due under this subpart will be made without regard to questions of title under State law and without regard to any claim or lien against the milk production, or proceeds thereof, in favor of the owner or any other creditor except agencies and instrumentalities of the U.S. Government.

(d) *Assignments.* Any dairy producer entitled to any payment under this part may assign any payments in accordance with the provisions of 7 CFR part 1404.

(e) *Violations of highly erodible land and wetland conservation provisions.* The provisions of part 12 of this title apply to this subpart. That part sets out certain conservation requirements as a general condition for farm benefits.

(f) *Violations regarding controlled substances.* The provisions of § 718.6 of this title, which generally limit program payment eligibility for persons who have engaged in certain offenses with respect to controlled substances, will apply to this subpart.

## PART 761—GENERAL PROGRAM ADMINISTRATION

### Subpart A—General Provisions

Sec.

- 761.1 Introduction.
- 761.2 Abbreviations and definitions.
- 761.3 Civil rights.
- 761.4 Conflict of interest.

- 761.5 Restrictions on lobbying.
- 761.6 Appeals.
- 761.7 Appraisals.
- 761.8 Loan limitations.
- 761.9 Interest rates for direct loans.
- 761.10 Planning and performing construction and other development.
- 761.11–761.50 [Reserved]

### Subpart B—Supervised Bank Accounts

- 761.51 Establishing a supervised bank account.
- 761.52 Deposits into a supervised bank account.
- 761.53 Interest bearing accounts.
- 761.54 Withdrawals from a supervised bank account.
- 761.55 Closing a supervised bank account.
- 761.56–761.100 [Reserved]

### Subpart C—Supervised Credit

- 761.101 Applicability.
- 761.102 Borrower recordkeeping, reporting, and supervision.
- 761.103 Farm assessment.
- 761.104 Developing the farm operating plan.
- 761.105 Year-end analysis.
- 761.106–761.200 [Reserved]

### Subpart D—Allocation of Farm Loan Programs Funds to State Offices

- 761.201 Purpose.
- 761.202 Timing of allocations.
- 761.203 National reserves for Farm Ownership and Operating loans.
- 761.204 Methods of allocating funds to State Offices.
- 761.205 Computing the formula allocation.
- 761.206 Pooling of unobligated funds allocated to State Offices.
- 761.207 Distribution of loan funds by State Offices.
- 761.208 Target participation rates for socially disadvantaged groups.
- 761.209 Loan funds for beginning farmers.
- 761.210 Transfer of funds.

AUTHORITY: 5 U.S.C. 301 and 7 U.S.C. 1989.

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### Subpart A—General Provisions

#### § 761.1 Introduction.

(a) The Administrator delegates the responsibility to administer Farm Loan Programs of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 *et seq.*) to the Deputy Administrator for Farm Loan Programs subject to any limitations established in 7 CFR 2.16(a)(2) and 7 CFR 2.42.

(b) The Deputy Administrator may: